

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Tamika N. Wyche, Esquire
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Order Filed on March 16, 2018
by Clerk U.S. Bankruptcy Court
District of New Jersey

In Re:

MICHELLE R. DRISCOLL

Case No.: 16-33726

Adv. No.:

Hearing Date: 4/3/18

Judge: JERROLD N. POSLUSNY

ORDER PERMITTING DEBTOR TO MODIFY
MORTGAGE

The relief set forth on the following pages, numbered two (2) through two (2)
is hereby **ORDERED**.

DATED: March 16, 2018

A handwritten signature in black ink, appearing to read "Jerrold N. Poslusny, Jr.", written over a horizontal line.

Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Court

Debtor: MICHELLE R. DRISCOLL

Case No: 16-33726 JNP

Caption of Order: ORDER PERMITTING DEBTOR TO MODIFY MORTGAGE

THIS MATTER having been opened to the Court by Tamika N. Wyche, Esquire, Attorney for Debtor, on Motion to Permit Debtor to Modify Mortgage; and Tamika N. Wyche, Esquire, appearing for the Debtor; and the Court after hearing arguments of counsel; and for good cause having been shown;

IT IS ORDERED that the Court authorizes secured creditor and debtor to enter into a loan modification; and

IT IS FURTHER ORDERED, that in the event a loan modification is completed and the pre-petition arrears are capitalized into the loan, secured creditor shall amend the arrearage portion of its proof of claim to zero or withdraw the claim within thirty (30) days of completion of the loan modification; and

IT IS FURTHER ORDERED, that the Chapter 13 Trustee shall suspend disbursements to secured creditor pending completion of loan modification and all money that would otherwise be paid to secured creditor, be held until the arrearage portion of the claim is amended to zero or the claim is withdrawn, or the Trustee is notified by the secured creditor that the modification was not consummated; and

IT IS FURTHER ORDERED that in the event the modification is not consummated, the secured creditor shall notify the Trustee and debtor's attorney of same. Any money that was held by the Trustee pending completion of the modification shall then be paid to secured creditor; and

IT IS FURTHER ORDERED that in the event the Proof of Claim is amended to zero or withdrawn, the Trustee may disburse the funds being held pursuant to this order to other creditors in accordance with the provisions of the confirmed plan; and

IT IS FURTHER ORDERED that the Debtors shall file an Amended Schedule J and Modified Plan within twenty (20) days of this Order; and

IT IS FURTHER ORDERED that the Debtors shall provide an executed copy of the Loan Agreement within ten (10) days of closing.